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Patent

## REMARKS

Reconsideration of this application and withdrawal of the rejections set forth in the Office action mailed November 4, 2005 are requested in view of this amendment and the following remarks.

To begin, Applicants disagree with the examiner's rejections and believe that the claims, as they existed prior to the amendments presented above, are patentable over the cited references. Applicants reserve the rights to pursue those claims, as well as other related claims. However, for purposes of expediting the present application, Applicants have amended the claims and provided a Rule 131 affidavit pursuant to the examiner's instructions, as set forth in the Interview Summary mailed January 3, 2006.

Claims 1-4 and 32 have been amended. The amended claims are fully supported by the original specification at least at: page 7, paragraph 2; page 9, paragraph 2; and page 12, paragraph 3. No new matter has been added. After entry of this amendment, claims 1-6 and 12-34 will be pending.

Claim Rejections – 35 U.S.C. § 103

Claim 1 has been amended to recite transmitting one of (a) only a provider-selected commercially-sponsored message to the client program for display, in response to the request, if no qualifying provider-selected commercially-sponsored message has been previously transmitted to the client program, or (b) only the user-selected information to the client program for display, if a qualifying provider-selected commercially-sponsored message has been previously transmitted to the client program, wherein the provider-selected commercially-sponsored message comprises HTML and javascript which cause the provider-selected commercially-sponsored message to be

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displayed for a limited time period when it is transmitted, after which the client program automatically requests the user-selected information. Claims 2-4 and 32 have been amended using similar language as requested by the examiner.

Affidavit Pursuant to 37 C.F.R. §1.131

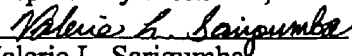
The attached Affidavit of Dan Baer Pursuant to 37 C.F.R. §1.131 is hereby submitted to evidence a date of invention prior to the reference U.S. Patent No. 5,974,451 to Simmons, as requested by the examiner. Notice of the Simmons reference was given in an interview conducted with the examiner on December 6, 2005. Applicants submit the Baer affidavit is sufficient to establish that the disclosure of the claims, both as originally presented and as amended, was conceived of and reduced to practice at a date prior to that of the Simmons reference.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that the claims now presented in this application define patentable subject matter over the cited prior art. Accordingly, reconsideration and allowance of the application are requested. If the Examiner feels that a telephone interview could expedite resolution of any remaining issues, the Examiner is encouraged to contact Applicants' undersigned representative at the phone number listed below.

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